

entered, and it was ordered by the court that the product should be delivered to said claimant upon the payment of the costs of the proceedings and the execution of a good and sufficient bond in the sum of \$250, in conformity with section 10 of the act.

J. R. Riggs, *Acting Secretary of Agriculture.*

6738. Adulteration and misbranding of olive oil. U. S. * * * v. 12 One-gallon Cans and 24 Half-gallon Cans of Olive Oil (so-called). Consent decree of condemnation and forfeiture. Product ordered released on bond. (F. & D. No. 9095. I. S. Nos. 6568-p, 6569-p. S No B-1056.)

On June 25, 1918, the United States attorney for the District of Connecticut, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 12 one-gallon cans and 24 half-gallon cans of olive oil, remaining unsold in the original unbroken packages at South Norwalk, Conn., alleging that the article had been shipped on or about May 30, 1918, by Arony & Papitsas, New York, N. Y., and transported from the State of New York into the State of Connecticut, and charging adulteration and misbranding in violation of the Food and Drugs Act, as amended.

Adulteration of the article was alleged in the libel for the reason that cottonseed oil had been mixed and packed therewith so as to reduce, lower, and injuriously affect its quality and strength, and had been substituted practically entirely for the article purporting to be olive oil.

Misbranding of the article was alleged for the reason that the labels of the cans bore certain statements regarding the article which were false and misleading, that is to say, the statements, to wit, "Olive Oil" (in large type), and "Compounded with cottonseed oil" (in inconspicuous type), and "Cottonseed and" (in inconspicuous type), and "Olive Oil" (in large type), which statements were intended to be of such a character as to induce the purchaser to believe that the product was olive oil, when, in truth and in fact, it was not; and for the further reason that it was an imitation of, and was offered for sale under the distinctive name of, another article, to wit, olive oil: and for the further reason that the labels on the half-gallon cans bore the words "Full $\frac{1}{2}$ gallon," whereas there was a shortage of 2.7 per cent in each purported one-half gallon; and for the further reason that it was food in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the package in terms of weight, measure, or numerical count.

On July 15, 1918, the said Arony & Papitsas, New York, N. Y., claimants, having consented to a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be delivered to said claimants upon the payment of the costs of the proceedings and the execution of a bond in the sum of \$35, in conformity with section 10 of the act.

J. R. Riggs, *Acting Secretary of Agriculture.*

6739. Adulteration and misbranding of vinegar. U. S. * * * v. Burgie Vinegar Co., a corporation. Plea of guilty. Fine, \$25 and costs. (F. & D. No. 9098. I. S. No. 11945-m.)

On October 3, 1918, the United States attorney for the Western District of Tennessee, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Burgie Vinegar Co., a corporation, Memphis, Tenn., alleging shipment by said company in violation of the Food and Drugs Act, on or about August 1, 1916, from the State of Tennessee into the State of Arkansas, of a quantity of

an article labeled in part, "Burgie Vinegar Co. Gold \$ Dollar Brand, Pure Apple Cider Vinegar," which was adulterated and misbranded.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed the following results:

Alcohol (per cent by volume)-----	0.25
Glycerol (grams per 100 cc.)-----	0.09
Solids (grams per 100 cc.)-----	0.83
Nonsugar solids (grams per 100 cc.)-----	0.51
Reducing sugar as invert after evaporation (grams per 100 cc.)-----	0.32
Ash (grams per 100 cc.)-----	0.10
Acidity as acetic (grams per 100 cc.)-----	4.12

This analysis shows addition of distilled vinegar or dilute acetic acid.

Adulteration of the article was alleged in the information for the reason that a substance, to wit, either distilled vinegar or dilute acetic acid, had been mixed and packed therewith so as to lower and reduce and injuriously affect its quality, and had been substituted in part for pure apple cider vinegar reduced to 4 per cent acetic strength, which the article purported to be.

Misbranding of the article was alleged for the reason that the statement, to wit, "Pure apple cider vinegar, reduced to 4 per cent acetic strength," borne on the label on the barrel containing the article, regarding it and the ingredients and substances contained therein, was false and misleading in that it represented that the article was pure apple cider vinegar reduced to 4 per cent acetic strength, and for the further reason that it was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that it was pure apple cider vinegar reduced to 4 per cent acetic strength, whereas, in fact and in truth, it was not, but was a product composed in part of either distilled vinegar or dilute acetic acid.

On February 3, 1919, the defendant company entered a plea of guilty to the information, and the court imposed a fine of \$25 and costs.

J. R. RIGGS, *Acting Secretary of Agriculture.*

6740. Adulteration and misbranding of olive oil. U. S. ' * * v. 6 Cases and 2 Cans of Alleged Olive Oil. Consent decree of condemnation and forfeiture. Product ordered released on bond. (F. & D. No. 9101. I. S. No. 2954-p. S. No. E-1059.)

On June 28, 1918, the United States attorney for the Eastern District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of six cases, each containing twelve 1-gallon cans and two separate 1-gallon cans of alleged olive oil, consigned by Emilio Di Bianco, New York, N. Y., remaining unsold in the original unbroken packages at Philadelphia, Pa., alleging that the article had been shipped on or about June 1, 1918, and transported from the State of New York into the State of Pennsylvania, and charging adulteration and misbranding in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libel for the reason that it consisted wholly or in part of cottonseed oil.

It was alleged in substance in the libel that the statement, to wit, "1 Gall. Net," represented to the purchaser that the package contained one gallon net, when, in truth and in fact, it did not contain one gallon net; and for the further reason that it was invoiced and represented by the shipper to be olive oil, not of the first quality, but a second-grade Spanish oil, when, in fact, it consisted wholly or in part of cottonseed oil.